

# NOTICE OF EMERGENCY RULE PROMULGATION

**AGENCY:** Department of Marine Resources

**STATUTORY AUTHORITY:** 12 M.R.S.A. Sections 6172 and 6192

**RULE PROMULGATION:** DMR Regulation 95.04 A, Closed Area No. 39-G, Northwest Herrick Bay, Brooklin

**TEXT OF RULE:** DMR Regulation 95.04 A, Closed Area No. 39-G, Northwest Herrick Bay, Brooklin

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of northwest Herrick Bay inside and northwest of a line extending northeast from the northern end of Batchelder Point (so called) to the northern end of Blakes Point (so called) about 500 yards. This area is classified restricted and requires a special MDMR permit.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

**EFFECTIVE DATE:** December 30, 2003

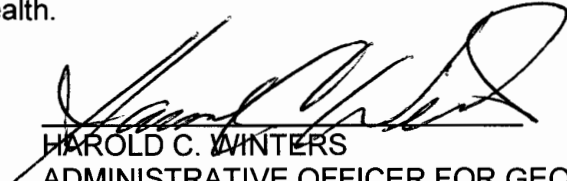
**AGENCY CONTACT PERSON:** Amy M. Fitzpatrick  
Department of Marine Resources  
McKown Point Road  
West Boothbay Harbor, Maine 04575

**BANGOR DAILY NEWS**  
January 3, 2004

## STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources promulgates emergency DMR Regulation 95.04 A, Closed Area No. 39-G, Northwest Herrick Bay, Brooklin. This new regulation classifies northwest Herrick Bay in the Town of Brooklin as restricted and requires a special MDMR permit.

Department personnel have determined that Herrick is subject to intermittent microbiological pollution and that the unrestricted harvesting of clams, quahogs, oysters, and mussels, in these waters poses a threat to public health.

  
HAROLD C. WINTERS  
ADMINISTRATIVE OFFICER FOR GEORGE D.  
LAPOINTE, COMMISSIONER AS AUTHORIZED  
BY 12 MRSA SECTION 6023



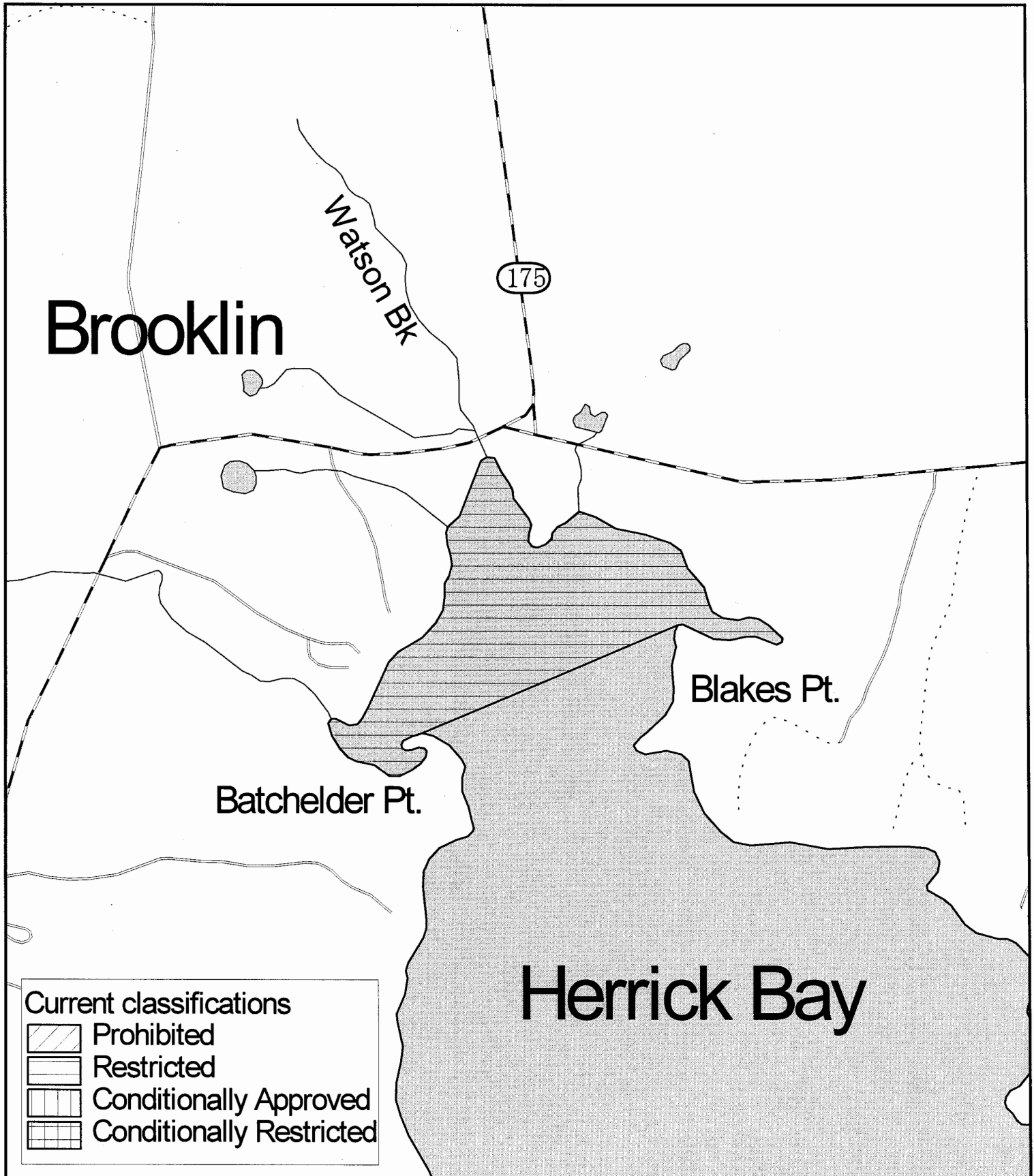
# Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Brooklin

**C39-G, Northwest Herrick Bay**

**12/30/03**



200 0 200 400 600 800 1000 Yards